

11-R-1263

(Do Not Write Above This Line)

**A RESOLUTION
BY THE PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE**

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF SHANNON BRILEY V. CITY OF ATLANTA, ET AL, CIVIL ACTION FILE NUMBER 1:09-CV-3581-TCB, IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN THE TOTAL GROSS AMOUNT OF \$10,000.00, TO BE DISTRIBUTED TO PLAINTIFF; OF THIS AMOUNT, AUTHORIZING PAYMENT OF \$10,000.00 TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES) and FUNCTIONAL ACTIVITY NUMBER 151200 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

Eric Richardson

ERIC RICHARDSON, Deputy City Attorney

ADOPTED BY

SEP 06 2011

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

PSLA Committee
 Date *8/30/11*
 Chair *[Signature]*
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members *[Signatures]*
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Refer To _____

FINAL COUNCIL ACTION

- 2nd 1st & 2nd 3rd
 Readings
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
 SEP 06 2011
 COUNCIL PRESIDENT PROTEM

CERTIFIED
 SEP 06 2011
Rhonda Daughlin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

SEP 15 2011

WITHOUT SIGNATURE
BY OPERATION OF LAW



11- R -1263

RESOLUTION

11-R-_____

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF SHANNON BRILEY V. CITY OF ATLANTA, ET AL., CIVIL ACTION FILE NUMBER 1:09-CV-3581-TCB, IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN THE TOTAL GROSS AMOUNT OF \$10,000.00, TO BE DISTRIBUTED TO PLAINTIFF; OF THIS AMOUNT, AUTHORIZING PAYMENT OF \$10,000.00 TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES) and FUNCTIONAL ACTIVITY NUMBER 151200 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, *Shannon Briley v. City of Atlanta, et al.*, is a case in which Plaintiff Shannon Briley sought remedy and redress for alleged violation of 42 U.S.C. § 1981, Title VII of the Civil Rights Act of 1964 by creating a hostile working environment, gender discrimination, retaliation, breach of contract, and tortious interference with employment; and

WHEREAS, the City won summary judgment on the federal claims (hostile working environment, gender discrimination and retaliation) but the state claims still exist.

WHEREAS, Plaintiff has agreed to accept the total gross amount of \$10,000.00 in full settlement of all remaining claims against the City of Atlanta, inclusive of interest and attorney's fees, to be distributed to Plaintiff; and

WHEREAS, The City Attorney has done extensive review of the facts and the law and has determined that the City's potential financial exposure in defending Plaintiff's claims is in excess of the settlement amount; and

WHEREAS, The City Attorney considered it to be in the best interest of the City to pay the amount of \$10,000.00 to settle all claims against the City of Atlanta.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves as follows:



SECTION 1. The City Attorney is hereby authorized to settle and execute all documents in the case of *Shannon Briley v. City of Atlanta, et al.*, in the amount of Ten-thousand-dollars and 00 cents (\$10,000.00).

SECTION 2. Said payment is to be charged, paid and issued as follows:

The Chief Financial Officer is authorized to make payment from **Fund 1001 (General Fund), Center Number 200101 (Non-Departmental), (Account 5212005 (Litigation Expenses) and Functional Activity Number 1512000 (Accounting).** Payment shall be in the form of a check in the amount of \$10,000.00 payable to **Knight and Briley, P.C., counsel for the Plaintiff.** Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta and its current and former officers and employees.

A true copy,

A handwritten signature in black ink, appearing to be "S. Briley", written over a vertical line.

Deputy Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

Sept. 6, 2011
Sept. 15, 2011

RCS# 1358
9/06/11
2:37 PM

Atlanta City Council

REGULAR SESSION

CONSENT

CONSENT AGENDA SECTION I

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 2

Y Smith	NV Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	B Watson
Y Young	NV Shook	NV Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	B Mitchell

CONSENT